


by one day. A plaintiff may amend the complaint once as a matter of course within 21 days after serving the complaint, or within 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), which is earlier. Fed. R. Civ. P. 15(a)(1). A plaintiff may subsequently amend with permission from the court which “shall be freely granted when justice so requires.” Fed. R. Civ. P. 15(a)(2). Although the deadline to amend has expired, (Doc. No. 34), the Court finds that it is in the interest of justice to permit Plaintiff to correct the date of the alleged incident.

IT IS, THEREFORE, ORDERED that:

- (1) Plaintiff’s Motion to Compel, (Doc. No. 36), is **DENIED** as moot.
- (2) Plaintiff’s Motion to Appoint Counsel, (Doc. No. 40), is **DENIED**.
- (3) Plaintiff’s Motion to Amend, (Doc. No. 41), is **GRANTED** as stated in this Order.

Signed: December 18, 2019


Frank D. Whitney
Chief United States District Judge 